

### REMARKS

Claims 1 and 4-16 are not pending in this application. Reconsideration of the application is respectfully requested.

In paragraph 2 of the Final Office Action, the Examiner states that “the rejection” is maintained. This seems to be only the 35 U.S.C. § 102(e) rejection and not the 35 U.S.C. § 112, second paragraph rejection. This § 112 rejection seems to have been overcome.

Claims 1-16 are rejected under 35 U.S.C § 102 (e) as being anticipated by Barchi, U.S. Patent No. 6,507,866. Claims 2 and 3 however, have been cancelled so it is claims 1 and 4-16 which are being rejected. Nonetheless, this rejection is respectfully traversed.

In regard to claim 1, Barchi does not teach or suggest what the examiner relies upon it as supposedly teaching. Barchi fails to disclose, suggest, or teach, inter alia, the following features recited by above claims of the present application:

“recording the email characteristics corresponding to the email message into the specific email record if the receiving number is higher than a second setting value and *an email address of the recipient of the email message does not appear in at least one recipient field of the email message*; and

accepting the email message first and then deleting the email message if the receiving number is higher than the second setting value and *the email address of the recipient of the email message does not appear in the recipient field of the email message*, and

accepting and forwarding the email message to a specific mailbox if the receiving number is higher than a third setting value and *the email address of the recipient of the email message does not appear in the recipient field of the email message*”.

Note that, in the response to amendment, Examiner does not provide any response to applicant’s arguments about the limitation of “...if an email address of the recipient of the email message does not appear in at least one recipient field of the email message” cited in the claim 1.

In col. 10, lines 17-26 of Barchi, it discloses analyzing fields from headers of received e-mail messages to identify patterns of undesired e-mail usage, counting number of stored fields with identical or similar content, and identifying e-mail message as undesired according to the

counted number. The present invention, however, determines whether the email address of recipient of an email message appears in the recipient field of email message, and, if not, the email message is intercepted.

Nowhere in col. 10, lines 17-26 of Barchi discloses the determination condition “whether the email address of recipient of an email message appears in the recipient field of email message”.

In col. 8, lines 33-67 of Barchi, it discloses the pattern analysis logic. Similarly, nowhere in col. 8, lines 33-67 of Barchi discloses the determination condition “whether the email address of recipient of an email message appears in the recipient field of email message”.

In col. 6, lines 26-37 of Barchi, it reads “...a record in a list maintained for detecting the pattern of many e-mail messages sent to a single recipient would contain information on the number of message received by that specific recipient over a predetermined time interval”. It discloses the concept of number of message received by a recipient, and uses the concept for email interception. No where in col. 6, lines 26-37 of Barchi discloses the determination condition “whether the email address of recipient of an email message appears in the recipient field of email message”.

We have to explain again, when composing an email message, a plurality of fields of the email message is required to fill out, such as recipient fields comprising recipient (TO), copy recipients (CC), and hidden copy recipients (BCC) fields, a title field, a content field, and others. In a case, garbage messages have no email address of the recipients in the recipient fields (TO, CC, and BCC fields). In another case, if an email message is sent using a group function, the address of a group appears in the recipient field of email message, and the email address of recipient of the email message does not appear in the recipient field of email message.

Since Barchi fails to teach the claimed feature of the invention, the applicants believe that claim 1 is patentable over the cited reference. Insofar as claims 4-16 directly or indirectly depend from claim 1 are similarly believed to be patentable.

In view of the foregoing remarks, the applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of claims. Withdrawal of the 35 USC 102(e) rejection is requested.

Application No. 10/072,886  
Amendment dated December 6, 2005  
Reply to Office Action of December 6, 2005

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### CONCLUSION

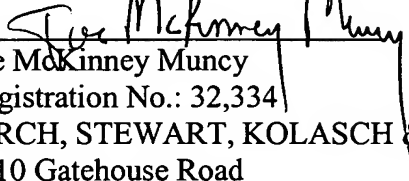
In the event the Examiner does not consider this application to be in condition for allowance, it is requested that this Response be entered for the purposes of Appeal. No amendments are presented, so new issues should not be present. Nonetheless, it is not expected that this application will proceed to Appeal, since it should now be in condition for allowance.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Joe McKinney Muncy (Registration No. 32,334) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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